CLAIM AMENDMENTS AND LISTING

1. (currently amended) A computer implemented method of trading in the value of property using a computer based futures trading system which includes the steps of: (a) entering designating at least one designated geographical area into said system; (b) in response thereto, said system collecting data relating at least to the prices and numbers of properties which are located in the designated geographical area and which either are sold during a given time period or for which the registration of a transfer pursuant to a sale takes place during a given time period; (c) generating an index from the collected data which is based at least on the selling price per property sold or transferred during the given time period; (d) producing futures contracts for properties, in the said designated geographical area, which are based at least on the said index; and (e) allowing the futures contracts to be traded on an exchange.

2. (currently amended) A method according to claim 1 wherein said system ensures which includes the step of ensuring credit-worthiness between traders by at least one of the following: debiting their bank accounts or credit cards; verifying accessible bank deposits of acceptable securities.

3. (currently amended) A method according to claim 1 wherein said system is configured to require which includes the step of requiring traders to deposit margin in an account maintained by an exchange with a bank.

4. (currently amended) A method according to claim 1 wherein the futures contracts are traded according to a trade matching algorithm operated by the exchange <u>system</u>.

5. (currently amended) A method according to claim 1 <u>wherein said system is configured to implement</u> ~~which includes~~ the step of restricting trading of a contract to traders who have taken positions in that contract prior to an event.

6. (original) A method according to claim 5 wherein the said event is a spot month of the said contract.

7. (original) A method according to claim 1 wherein the said index in step (c) is related to at least the average or median selling price of all properties sold.

8. (original) A method according to claim 1 wherein the said data which is collected is derived from official, government or fiscal records.

9. (original) A method according to claim 1 wherein, in step (a), a number of geographical areas are designated and, within each area, specific data is collected and an appropriate index is generated.

10. (currently amended) A method according to claim 1 <u>wherein said system is</u>

<u>configured to implement</u> ~~which includes~~ the steps of automatically debiting initial margin

deposits pertaining to a specific trader and contract and debiting and crediting variation

margin according to the daily settlement prices of the respective contracts.

11. (currently amended) A method according to claim 10 wherein <u>a</u> ~~the~~ nominal value of

each contract is a proportion of <u>a</u> ~~the median, or other representative,~~ price of properties

in the respective designated geographical area.

(E) allowing the futures contracts to be traded on an exchange.

Turing now to the prior art rejections, claims 1, 3-6 and 7-10 stand rejected under 35 U.S.C. 103 as being unpatentable over Miller's article "Property Price Futures and Options" in view of US Patent No. 5,636,117 to Rothstein. Applicant traverses this rejection for the following reasons.

Miller discloses the idea of generating an index based on the price of properties which may be used to form the basis for the production of futures contracts (D), and therefore allowing the futures contracts to be traded on an exchange (E). However, as the Examiner correctly notes, Miller fails to teach the method by which the index is generated and from where the data generating index is derived (steps (A)-(C)). The Examiner relies on the disclosure in Rothstein for the missing steps (A)-(C). Rothstein teaches a method of identifying a segment of the property market for analyses (A), obtaining data, from an MLS database relevant to that segment of the property market, for properties sold during a given period, relating at least to price and number of units sold (B). However, although Rothstein teaches a method of generating an index from the collected data, this index (M_i) is based at least on the number of units (volume) of property sold during a given period and not on at least the selling price per property sold or transferred. Applicant respectfully submits that the index generated using the method of the Invention is a specific one "based at least on the selling price per property sold or transferred during the given time period". The index (M_i), derived from Rothstein, is an index based on number of closed and pending property sales and the number unsold and withdrawn property listings, during a given period (paragraph 4, lines 1 – 15).